

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANDREW A. HERZOG,

Plaintiff,

v.

BILL GIBBS/GIBSON, CEO

Defendant.

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8:09CV70

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On April 23, 2009, the court reviewed the Complaint and ordered Plaintiff to complete service of process on Defendant. (Filing No. [10](#).) The court warned Plaintiff that failure to complete service of process by August 20, 2009, may result in dismissal of this matter. (*Id.*) Plaintiff has never returned a completed summons form, and therefore has not completed service of process on Defendant. (*See* Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. Plaintiff shall have until December 30, 2009 to show cause why this case should not be dismissed for failure to complete timely service of process. If Plaintiff does not respond, or if good cause is not shown, this action will be dismissed without prejudice and without further notice.
2. The Clerk of the court is directed to set a pro se case management deadline with the following text: December 30, 2009: deadline for Plaintiff to show cause why service of process was not completed.
3. All pending motions are denied without prejudice to reassertion after service is completed.

December 1, 2009.

BY THE COURT:

Richard G. Kopf

United States District Judge